

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W/S Bosley Avenue, 288.89 ft. E of		
The c/l of York Avenue	*	ZONING COMMISSIONER
110 Bosley Avenue		
8 th Election District	*	OF BALTIMORE COUNTY
4 th Councilman District		
John F. McBride, et ux	*	CASE NO. 99-295-A
Petitioners		

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John F. McBride and Mary P. McBride, his wife, property owners, for that property known as 110 Bosley Avenue in the Cockeysville section of northeastern Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 4.5 ft. in lieu of the permitted 10 ft., for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 5th day of March 1999, that the Petition for an Administrative Variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback

COPIES RECEIVED FOR FILES
3/5/99
[Signature]

of 4.5 ft., in lieu of the permitted 10 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

LES:mmn

ORDER RECEIVED FOR FILING

Date

By

3/25/99
M. Gorkh



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

March 4, 1999

Mr. and Mrs. John F. McBride
110 Bosley Avenue
Cockeysville, Maryland 21030

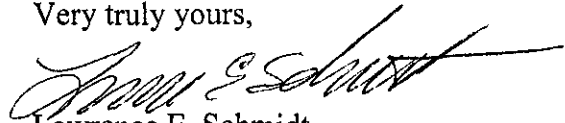
RE: Petition for an Administrative Variance
Case No. 99-295-A
Location: 110 Bosley Avenue

Dear Mr. and Mrs. McBride:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
Encl.





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 110 Bosley Ave
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B, BC2R, TO PERMIT
A SIDEYARD SETBACK OF 4.5ft. FOR AN ENCLOSED ADDITION
IN LIEU OF THE PERMITTED 10ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

JOHN F. MC BRIDE
Name - Type or Print _____
John Mc Bride
Signature _____
MARY P. MC BRIDE
Name - Type or Print _____
Mary P. Mc Bride
Signature (640) 525-1012 410 (1)
110 BOSLEY AVE 666-0297
Address _____ Telephone No. _____
COCKEYSVILLE MD 21030
City _____ State _____ Zip Code _____

Representative to be Contacted:

SAME
Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-295 A

REV 9/15/98

Reviewed By JLM Date 2-3-99
Estimated Posting Date 2-14-99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 110 Bosley Ave.
Address
Lockettsville MD 21030-2324
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Existing kitchen is too small. Much too costly to go out the rear of building.
Existing kitchen recently remodeled and would have to be demolished in order to use rear elevation.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John Mc Bride
Signature
JOHN F MC BRIDE
Name - Type or Print

Mary P. Mc Bride
Signature
MARY P. MC BRIDE
Name - Type or Print

✓ **STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:**

I HEREBY CERTIFY, this 15 day of January, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

1/15/99
Date

[Signature]
Notary Public

My Commission Expires 7/1/99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 110 Boskey Ave.
Address
Lockettsville MD 21030-2374
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Existing kitchen is too small. Much too costly to go out the rear of building.
Existing kitchen recently remodeled and would have to be demolished in order to use rear elevation.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John F. Mc Bride
Signature
JOHN F MC BRIDE
Name - Type or Print

Mary P. Mc Bride
Signature
MARY P MC BRIDE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15 day of January, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND

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AS WITNESS my hand and Notarial Seal

1/15/99
Date

[Signature]
Notary Public

My Commission Expires 7/1/99



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 110 Bosley Ave
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3 B ; BCZR, TO PERMIT
A SIDEYARD SET BACK OF 4.5 FT, FOR AN ADDITION IN LIEU
OF THE PERMITTED 10 FT.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

JOHN F. MC BRIDE
Name - Type or Print _____
John Mc Bride
Signature _____
MARY P MC BRIDE
Name - Type or Print _____
Mary P Mc Bride
Signature 410-525-1012 410 (17)
110 BOSLEY AVE 666-0297
Address _____ Telephone No. _____
COCKEYSVILLE MD 21030
City _____ State _____ Zip Code _____

Representative to be Contacted:

Same
Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-295A

REV 9/15/98

Reviewed By SW Date 2-3-99
Estimated Posting Date 2-14-99

ZONING DESCRIPTION FOR 110 BOSLEY AVE

Beginning at a point on the west side of Bosley Ave
which is 60 feet wide at the distance of 288.89 feet east
of the centerline of the nearest improved intersecting
street York Avenue which is 45 feet wide. *Being Lot #7
Block A, Section 3 in the subdivisioin of Glenmore as
recorded in Baltimore County Plat Book#30 (RRG NO 30
folio 30 cc 4554) Folio #14 containing 10,352 square
feet. Also known as 110 Bosley Ave. and located in the
8th Election District, 2nd Councilmanic District.

2a5

99.295-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 063095

DATE 2-3-99 ACCOUNT Rec-6150

AMOUNT \$ 50.00

RECEIVED FROM: J. McBride 110 Bixley Ave

FOR: Ad. UAB. (010)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESSED ACTUAL 014
2/04/1999 2/05/1999 14:24:47
RECEIVED CASHIER CLERK CLE. DRAKE
& MISCELLANEOUS CASH RECEIPT
RECEIPT NO. 008361
CR. NO. 063095
50.00 CHECK: IN
Baltimore County, Maryland

44-295-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 99-295-A

Petitioner/Developer: _____

J. McBride

Date of Hearing/Closing: 3/1/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

110 BOSLEY AVE

The sign(s) were posted on 2/14/99
(Month, Day, Year)

CASE # 99-295-A

Sincerely,

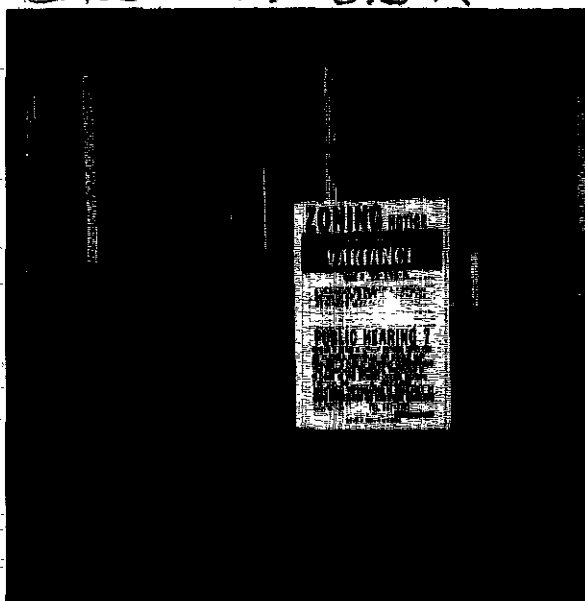
Richard E. Hoffman 2/14/99
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MO. 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



110 BOSLEY AVE.

POSTED 2/14/99

Richard E. Hoffman 2/14/99

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 295 -A Address 110 Bosley Ave
Contact Person: J. McBRIDE Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 2-3-99 Posting Date: 2-14-99 Closing Date: 3-1-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 295 -A Address 110 Bosley Ave
Petitioner's Name J. McBRIDE Telephone 410 666-0297
Posting Date: 2-14-99 Closing Date: 3-1-99
Wording for Sign: A VARIANCE
To Permit A SIDEYARD SETBACK OF 4.5 ft.
IN LIEU OF THE REQUIRED 10 ft. for an
ADDITION.

WCR - Revised 7/2/98

99-295-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 1, 1999

Mr. & Mrs. John McBride
110 Bosley Avenue
Cockeysville, MD 21030

RE: Case No.: 99-295-A
Petitioner: John McBride, et ux
Location: 110 Bosley Avenue

Dear Mr. McBride:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 3, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: February 16, 1999

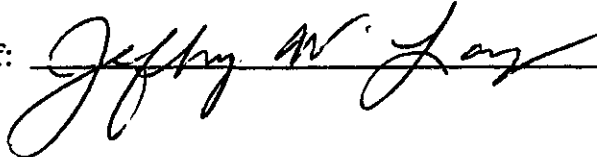
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 292, 295, 296, and 299

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in black ink, appearing to read "Jeffrey W. Long", is written over a horizontal line.

AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 15, 1999

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plan for the property.

8. The Fire Marshal's Office has no comments at this time in reference to the following item numbers:

291, 292, 293, 294, 295, 296, 297, 299, 300, AND 303

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: February 23, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for February 22, 1999
 Items Nos. 291, 292, 293, 294, 295, 296,
 300, 301, 303 and Case No. 99-280-X

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:cab

cc: File

ZONE0222.NOC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.12.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 295

JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

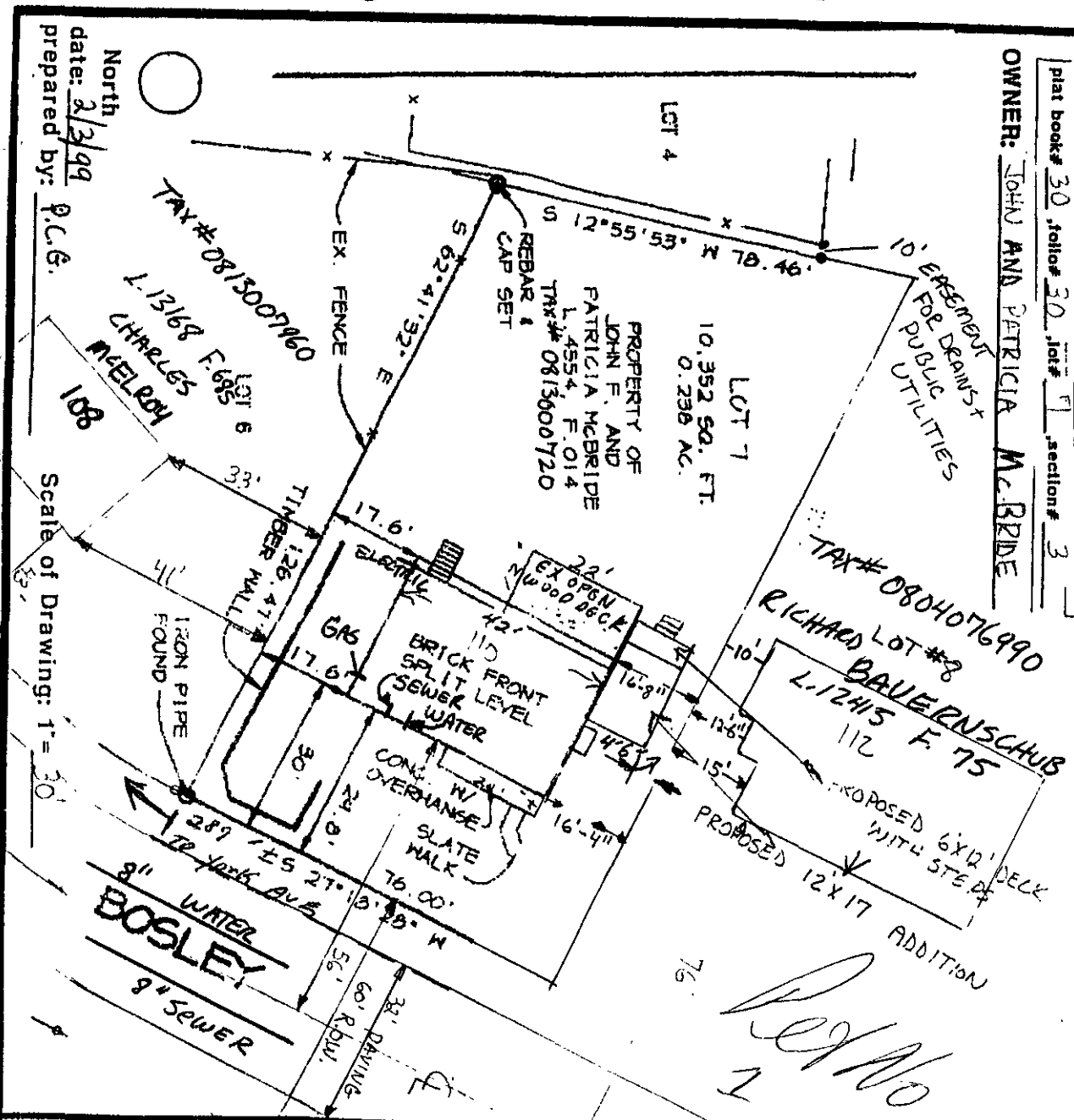
PROPERTY ADDRESS: 110 Bosley Ave. Cockeysville MD 21030

Subdivision name: GLENMORE

plat book# 30, folio# 30, lot# 1, section# 3

OWNER: JOHN AND PATRICIA McBRIDE

See pages 5 & 6 of the CHECKLIST for additional required information



Ref No 1

LOCATION INFORMATION

Election District: 8
Councilmanic District: 3

1"=200' scale map#: NW 17 B

Zoning: DR 3.5

Lot size: 0.238 acreage
10,352 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ Yes ☒ No

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

Sum 295

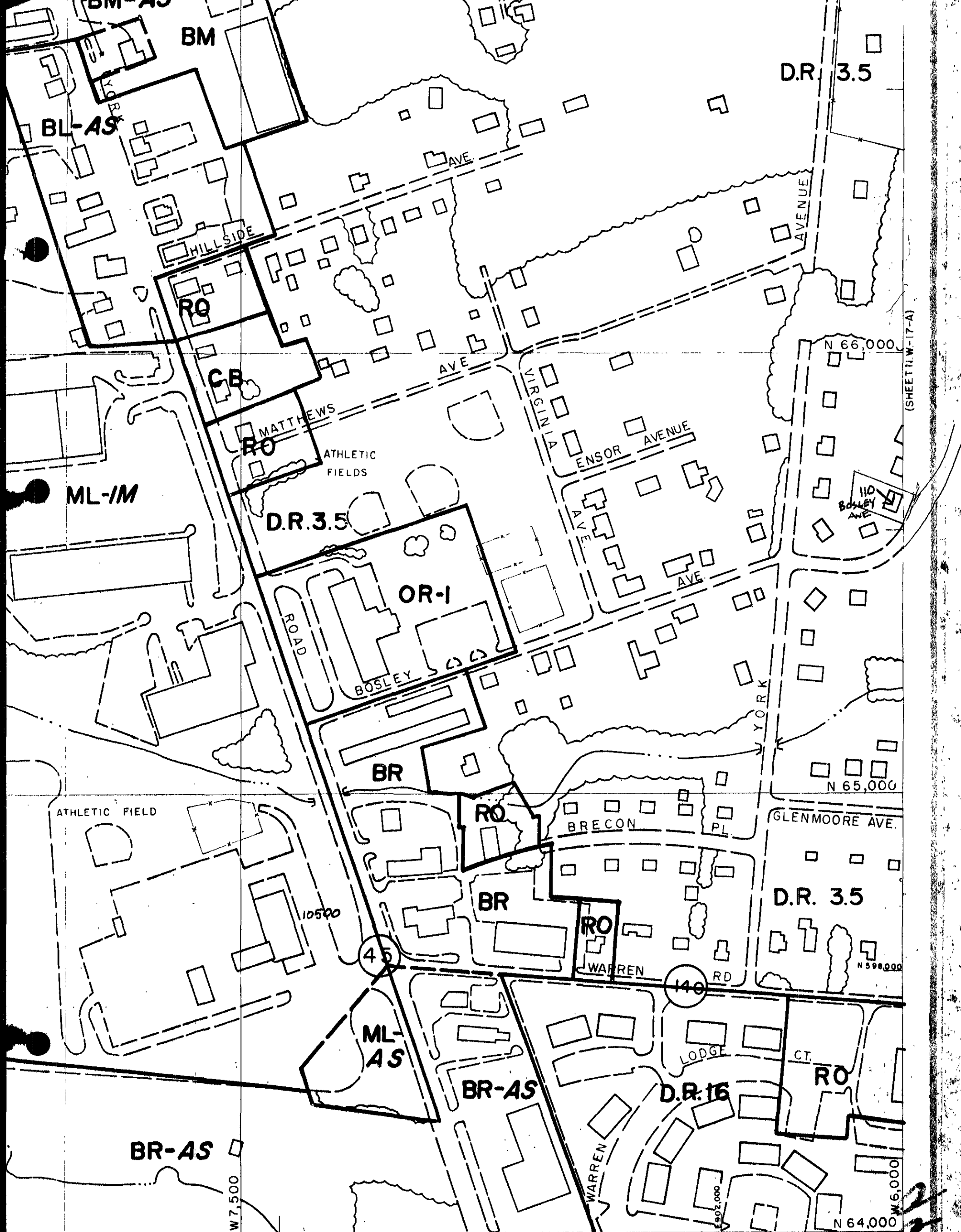
Townson
Vicinity Map
Scale: 1"=1000'

York RD.

WARREN RD.

OLD COCKEYSVILLE
Bosley Ave. 110

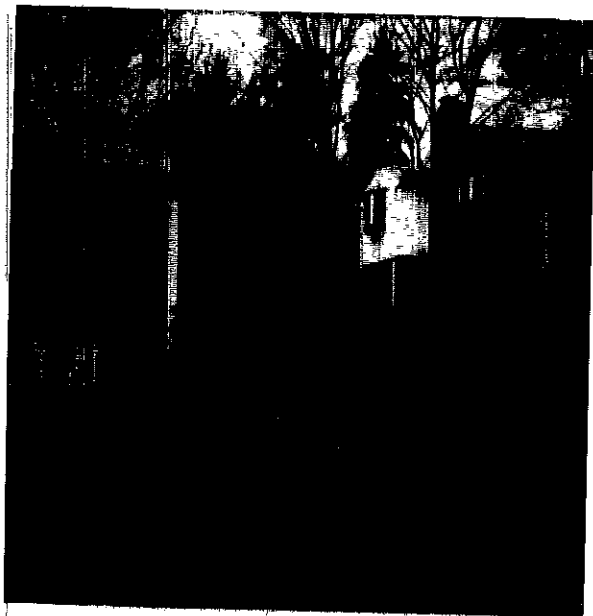
99-295-A



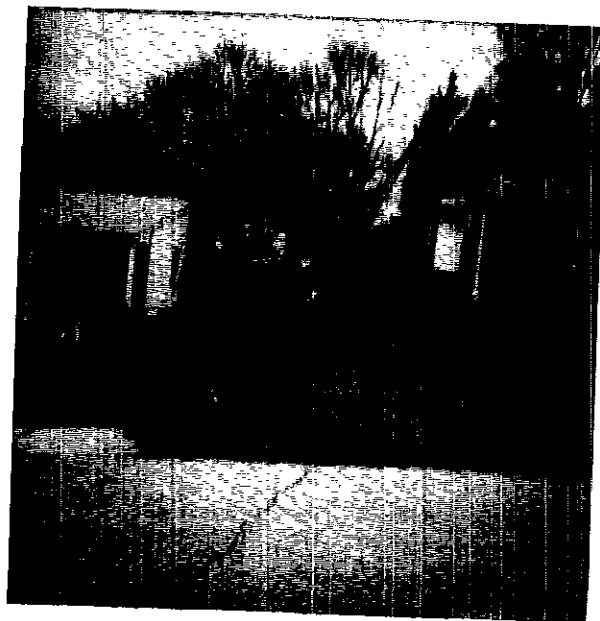
(SHEET N.W. 17-A)

A-2822

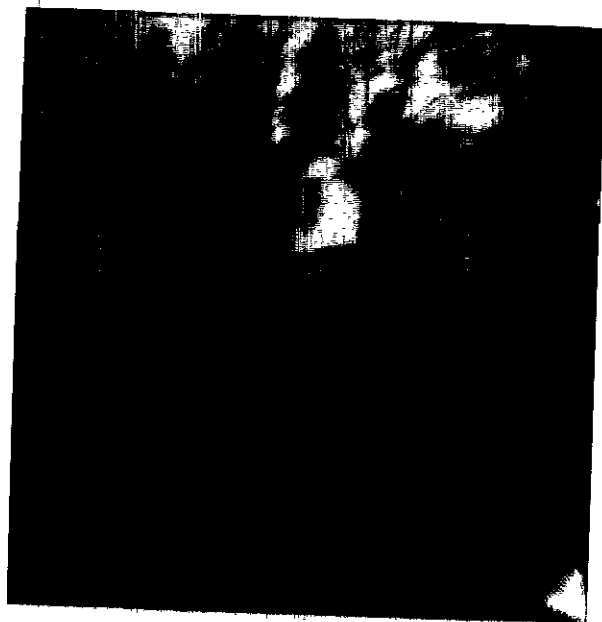
SCALE 1" = 200' ±	LOCATION	SHEET
DATE OF PHOTOGRAPHY JANUARY 1986	COCKEYSVILLE	N.W. 17-B



FRONT



FRONT

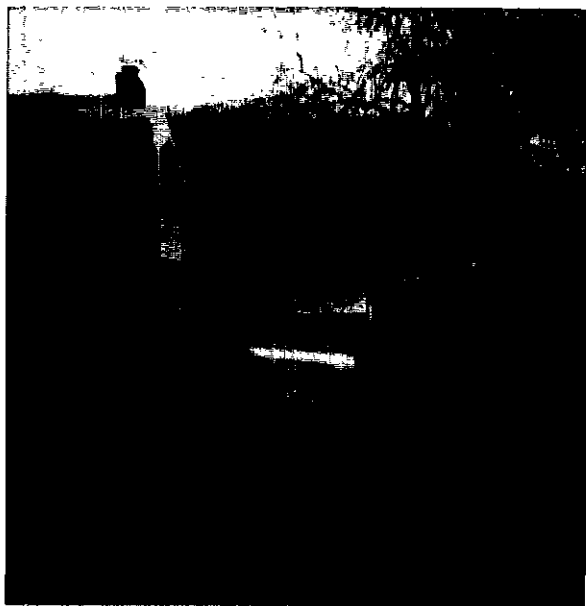


FRONT

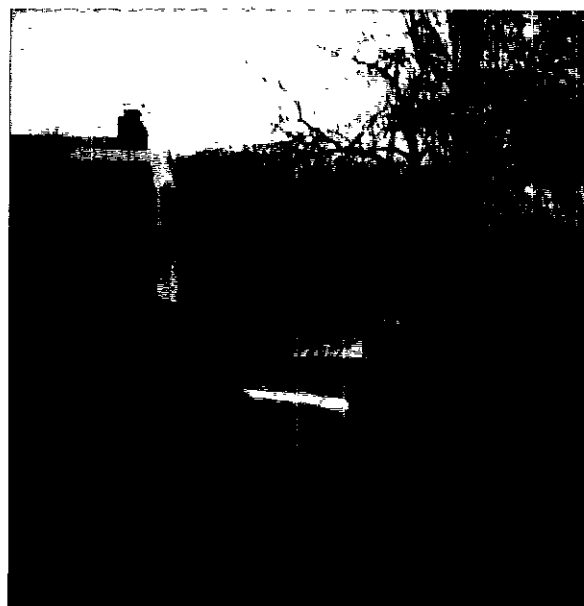


FRONT

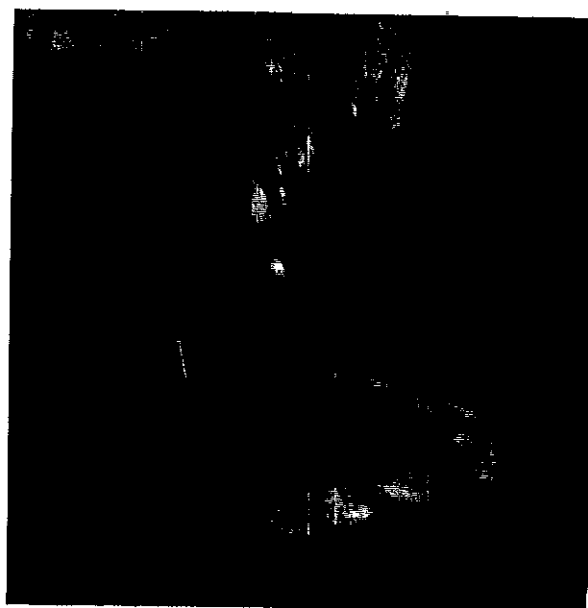
99-295-A



REAR

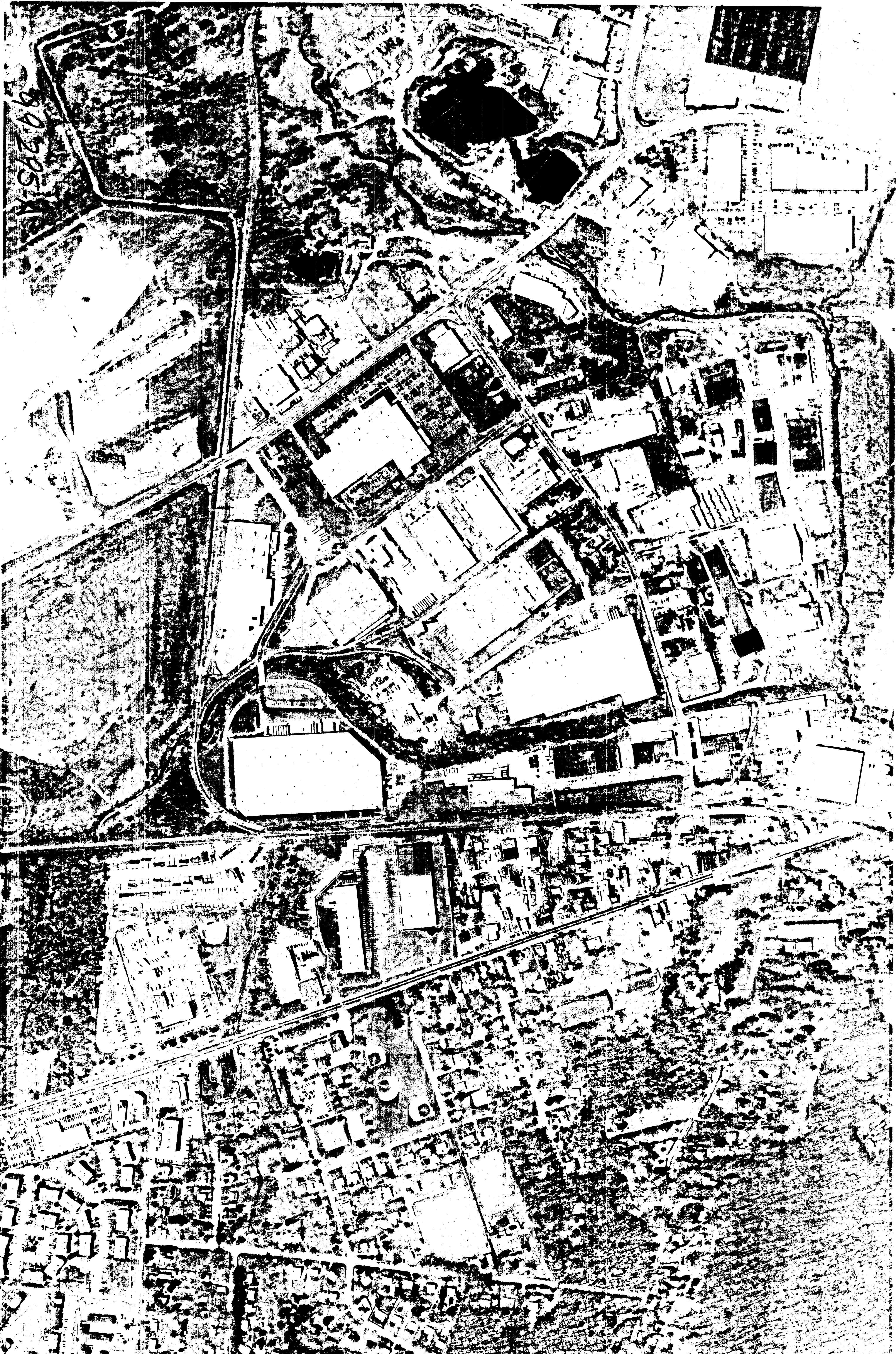


REAR



side

99.295-A



99-295-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	COCKEYSVILLE 110 BOSLEY AVE MC BRIDE	N.W. 17-B

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

MICROFILMED

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 295
Petitioner: John McBride
Address or Location: 110 Bosley Ave. Cockeysville Md. 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: SAME
Address: _____

Telephone Number: 410-666-0297

Revised 2/20/98 - SCJ

44-295-A